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SEP 17 2004

DIRECTOR OFFICE
TECHNOLOGY CENTER 2600

In re Application of
Robert Haussmann, et al.
Application No. 10/757,089
Filed: January 13, 2004
For: **FAST PLAY DVD**

DECISION ON PETITION TO
MAKE SPECIAL

This is a decision on the petition filed July 30, 2004 under Manual of Patent Examination Procedure §708.02, VIII requesting accelerated examination.

~~The petition under Manual of Patent Examination Procedure §708.02, VIII, must:~~

- ~~(1) be filed prior to receiving any examination by the examiner,~~
- ~~(2) be accompanied by the required fee- \$130,~~
- ~~(3) the claims should be directed to a single invention (if it is determined that the claims pertain to more than one invention, then applicant will have to make an election without traverse or forfeit accelerated examination status),~~
- (4) state that a pre-examination search was made, and fully discuss the search method employed, such as classes and subclasses searched, publications, Chemical abstracts, patents, etc. A search made by a foreign patent office satisfies this requirement,
- (5) be accompanied by a copy of each of the references most closely related to the subject matter encompassed by the claims if said references are not already of record,
- (6) fully discuss the references, pointing out with the particularity required by 37 C.F.R. §1.111 (b) and (c), how the claimed subject matter is patentable over the references.

The petition fails to meet requirement (4) above, inasmuch as there is no description of the classes or subclasses that were searched. Furthermore, details of any text searches used absent a class/subclass search have not been provided. It is insufficient to state that a search was performed by a professional searcher. In addition, Applicant is required to provide a copy of each of the references most closely related. The petition references a "Go Video User's Guide". A copy of this reference is not of record.

For the above stated reasons, the petition is **DENIED**.

Petitioner may submit a request for reconsideration within **TWO MONTHS** of the date of this decision. Any request for reconsideration should include a complete description of the search method employed, such as classes and subclasses searched, text keyword search, etc.

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